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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/403,813	03/20/2000	MASATOSHI UENO	7449/57723	7725

7590 03/14/2007  
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NEW YORK, NY 10036

EXAMINER

WHIPPLE, BRIAN P

ART UNIT	PAPER NUMBER
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2152

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/14/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/403,813	UENO, MASATOSHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brian P. Whipple	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-22 are pending in this application and presented for examination.
2. The amendment received on 3/31/2000 has been entered and made of record.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-4, 6-9, 11-14, 16-17, and 19-22 are rejected under 35 U.S.C. 102(a) as being anticipated by R. Droms; Dynamic Host Configuration Protocol; March 1997; Network Working Group; RFC 2131 (Hereafter referred to as DHCP).

5. As to claim 1, DHCP discloses a control device for controlling a controlled apparatus performing communications within a network, comprising:

determining means for determining whether the controlled apparatus is normally controlled corresponding to a signal from said control device (Pg. 40, § 4.4.5, ¶ 1 and 4);

measuring means for measuring a duration of an abnormally controlled period of time when said determining means determines that the controlled apparatus is

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abnormally controlled corresponding to the signal from said control device (Pg. 40-41, § 4.4.5, ¶ 1 and 5); and

deallocating means for deallocating an identifier, allocated to the controlled apparatus for identifying the controlled apparatus, when the duration measured by said measuring means exceeds a predetermined measuring period of time (Pg. 41, § 4.4.5, ¶ 9).

6. As to claim 2, DHCP discloses the signal from said control device is a sending permission signal to the controlled apparatus (Pg. 40, § 4.4.5, ¶ 4, ln. 6-8).

7. As to claim 3, DHCP discloses use-restriction-lifting means for lifting a use restriction on the controlled apparatus to allow the identifier deallocated by said deallocating means to be allocated to any controlled apparatus performing communications within the network after a predetermined delaying period of time has elapsed (Pg. 31, ln. 10-22).

8. As to claim 4, DHCP discloses storage means for storing data indicating a use condition of the identifier, and said use-restriction-lifting means changes the data indicating a use condition of the identifier to data indicating an allocated condition when the deallocated identifier is allocated to any controlled apparatus performing communications within the network (Pg. 16, § 4).

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9. As to claims 6, 11, 13, 16, and 19, the claims are rejected for the same reasons as claim 1 above.

10. As to claims 7, 14, 17, and 21, the claims are rejected for the same reasons as claim 2 above.

11. As to claims 8, 12, and 22, the claims are rejected for the same reasons as claim 3 above.

12. As to claim 9, the claim is rejected for the same reasons as claim 4 above.

13. As to claim 20, the claim is rejected for the same reasons as claim 1 above.

Additionally, the steps cited in the rejection of claim 1 above will be repeated as the client is merely extending its lease time and the same steps will be repeated when the client attempts to extend its lease again (DHCP, Pg. 40, § 4.4.5, ¶ 1 and 4).

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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15. Claims 5, 10, 15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over DHCP as applied to claims 1, 6, 13, and 16 above, in view of Grover, U.S. Patent No. 4,363,123.

16. As to claim 5, DHCP discloses the invention substantially as in parent claim 1, but is silent on said determining means determines whether the controlled apparatus is normally controlled corresponding to the signal from said control device every given cycle; and

said measuring means is provided with a counter for measuring the duration of the abnormally controlled period of time, and when the controlled apparatus is found to be abnormally controlled corresponding to the signal from said control device according to said determining means, said measuring means increments a count of the counter.

However, Grover does disclose said determining means determines whether the controlled apparatus is normally controlled corresponding to the signal from said control device every given cycle (Abstract, Col. 1, ln. 7-9 and 35-44); and

said measuring means is provided with a counter for measuring the duration of the abnormally controlled period of time, and when the controlled apparatus is found to be abnormally controlled corresponding to the signal from said control device according to said determining means, said measuring means increments a count of the counter (Abstract, Col. 1, ln. 7-9 and 35-44).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of DHCP by periodically checking for abnormalities

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of DHCP by periodically checking for abnormalities

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and maintaining a count as taught by Grover in order to monitor errors and report them via an alarm (Grover, Abstract) in order to alert an administrator to poor performance.

17. As to claims 10, 15, and 18, the claims are rejected for the same reasons as claim 5 above.

### ***Conclusion***

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Matsumoto et al., U.S. Patent No. 5,952,934 discloses a system for automatic assignment of terminal identifiers utilizing DHCP and conflict resolution.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571) 270-1244. The examiner can normally be reached on Mon-Fri (8:30 AM to 5:00 PM EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

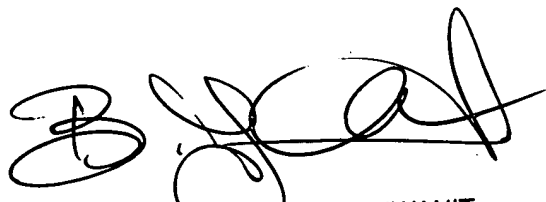


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BPW

Brian P. Whipple  
3/10/07



BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER